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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/546,719

Filing Date: April 11, 2000

Appellant(s): SAKAIRI, TAKASHI

Bety Formby
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 02/07/2005.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant does not provide statement of the issues in the brief.

(7) *Grouping of Claims*

The rejection of claims 1-6, 8 and 11 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *ClaimsAppealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

6035330	Astiz et al.	03-2000
6360332	Weinberg et al.	03-2002
6426761	Kanevsky et al.	07-2002
6525748	Belfiore et al.	02-2003

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Astiz et al., US 6,035,330, filed 03/1996, in view of Weinberg et al., US 6,360,332 B1, filed 06/1999.

Regarding independent claim 1, Astiz teaches the steps of:

- receiving from a server for a web site, a plurality of page structures and a plurality of page attributes for said web site, including information concerning said web site (Astiz, col.7, lines 47 – col.8, lines 8-29; and figures 4-5; receiving from a server, hierarchical page structure identifies each html page and characteristics of each html page);
- displaying said plurality of page structures and said plurality of page attributes on screen for a user (Astiz, col. col.7, lines 47 – col.8, lines 8-29; col.9, line 45 – col.10, line 44; and figures 4-6; displaying hierarchical page structures and characteristics of each html page in correlation with each other. The user can manipulate the display of the hierarchical page structures and characteristics using “expand”, and “collapse” commands);
- receiving from the user an input selecting either ones of said plurality of page structures or ones of said plurality of page attributes (Astiz, col.12, lines 63-65).

Astiz does not explicitly disclose in response to receiving said input from the user, dynamically changing the display of at least one of said plurality of page structures if ones of said plurality of page structures were selected and dynamically changing the display of at least one of said plurality of page attributes if ones of said plurality of page structures were chosen, wherein the display that is dynamically changed reflects a correlation between said page structures and said page attributes.

Weinberg teaches:

Art Unit: 2178

- in response to receiving an input from a user, dynamically changing the display of at least one of said plurality of page structures if ones of said plurality of page attributes were selected and dynamically changing the display of at least one of said plurality of page attributes if ones of said plurality of page structures were chosen, wherein the display that is dynamically changed reflects a correlation between said page structures and said page attributes (Weinberg, fig.2, col.11, line 63 – col.12, line 3; col.13, lines 57-59 and col.24, lines 37-53; dynamically highlight page “Order type: OR” in hierarchy tree when selecting the attribute “order type field”; and dynamically highlight attribute “Thomas Bush Inc.” when the “Thomas Bush Inc.” page in the hierarchy tree were selected).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Weinberg’s teaching and Astiz to facilitate the user to identifying the association between page structures and page attributes, since this would have provide a clues for user to find certain web page(s) based on the page attribute(s) or/and page attribute(s) based on a certain page. It is also noted that this combination would have helped the user to understand the correlate of information with the page structure of the web site, such as “keywords, which are one type of page attributes used at web site, are display in alphabetical order” in conventional site map (applicants’ admit prior art, applicants’ specification, page 1, lines 13-19), now are concurrently displayed with the page structure (hierarchy tree) for the user manipulate and dynamically show the correlate between the page structure (hierarchy tree) and the page attributes (keywords).

Independent claim 2 is for a system performing the method of claim 1 and is rejected under the same rationale.

Regarding claim 4, which is dependent on claim 2. Astiz teaches wherein said server includes means for using contents held by said server or by another web server to prepare said web page structures and said page attributes for said web pages at said web site (Astiz, col.7, lines 48 – col.8, line 29).

Regarding claim 5, which is dependent on claim 2. Astiz teaches wherein said server includes means for upon receiving a request from said browser, transmitting to said browser a program that includes a command processor, a page attribute processor and a page structure processor, all of which are required to display said page structures and said attributes in correlation with each other (Astiz, col.7, lines 47 – col.8, lines 8-29; and figures 4-6; transmitting command panel, hierarchical page structures and characteristics of each html page in correlation with each other (fig.6)).

Regarding claim 6, which is dependent on claim 5. Refer to the rationale relied to reject claim 5, Astiz teaches wherein said command processor includes means for, in accordance with a browser change manipulation performed by a user, displaying a list of command areas including a command for changing a display of said page structures and said page attributes, as well as said page structures and said page attributes (Astiz, fig.6, commands “configure”, “expand”, “collapse”, “detail”, etc.).

Regarding claim 8, which is dependent on claim 5. Refer to the rationale relied to claim 6, the limitations of “means for displaying together with said page structures and said page attributes, a list of command areas for changing the displays of said page structure and said page attributes” is addressed. The rationale is incorporated herein.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Astiz in view of Weinberg as applied to claim 1 above, and further in view of Kanevsky et al., US 6,426,761 B1, filed 04/1999.

Regarding claim 3, which is dependent on claim 1. Refer to the rejection of claim 1, the limitation of “wherein said page attributes are keywords included in said web pages at said web site” is addressed. However, Astiz does not explicitly teach wherein said page attributes are keywords included in said web pages at said web site, a number of times said keywords appear, sizes of files, a number of files and date files are updated.

Kanevsky teaches a web page displaying having attributes, such as a number of time said keywords appear, size of files, a number of files and date files are updated (Kanevsky, col.1, lines 60-65, fig.3, item 510, 520, 530, 540, 550; col.9, lines 60-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Kanevsky’s page attributes into Astiz’s page attributes to provide more attributes for the user, since this would have provides relatedness of information represented by items may be easily understood (Kanevsky, col.1, lines 39-43) and improved system for organizing displaying, managing text, image, graphics on a computer graphic interface (Kanevsky, col.2, lines 5-10).

Claims 1-2, 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore et al., US 6,525,748, priority filed 07/1996, in view of Weinberg et al., US 6,360,332 B1, filed 06/1999.

Regarding independent claim 1, Belfiore teaches the steps of:

- receiving from a server for a web site, a plurality of page structures and a plurality of page attributes for said web site, including information concerning said web site (Belfiore, col.4, lines 22-38; sitemap contains page structures (hierarchy index) and page attributes (search results and rating information));
- displaying said plurality of page structures and said plurality of page attributes on screen for a user (Belfiore, col.10, lines 25-65);
- receiving from the user an input selecting either ones of said plurality of page structures or ones of said plurality of page attributes (Belfiore, col.11, lines 1-8).

Belfiore does not explicitly disclose in response to receiving said input from the user, dynamically changing the display of at least one of said plurality of page structures if ones of said plurality of page structures were selected and dynamically changing the display of at least one of said plurality of page attributes if ones of said plurality of page structures were chosen, wherein the display that is dynamically changed reflects a correlation between said page structures and said page attributes.

Weinberg teaches:

- in response to receiving an input from a user, dynamically changing the display of at least one of said plurality of page structures if ones of said plurality of page attributes

were selected and dynamically changing the display of at least one of said plurality of page attributes if ones of said plurality of page structures were chosen, wherein the display that is dynamically changed reflects a correlation between said page structures and said page attributes (Weinberg, fig.2, col.11, line 63 – col.12, line 3; col.13, lines 57-59 and col.24, lines 37-53; dynamically highlight page “Order type: OR” in hierarchy tree when selecting the attribute “order type field”; and dynamically highlight attribute “Thomas Bush Inc.” when the “Thomas Bush Inc.” page in the hierarchy tree were selected).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Weinberg’s teaching and Belfiore to facilitate the user to identifying the association between page structures and page attributes, since this would have provide a clues for user to find certain web page(s) based on the page attribute(s) or/and page attribute(s) based on a certain page. It is also noted that this combination would have helped the user to understand the correlate of information with the page structure of the web site, such as “keywords, which are one type of page attributes used at web site, are display in alphabetical order” (applicants’ admit prior art, applicants’ specification, page 1, lines 13-19), now are concurrently displayed with the page structure (hierarchy tree) for the user manipulate and dynamically show the correlate between the page structure (hierarchy tree) and the page attributes (keywords).

Independent claim 2 is for a system performing the method of claim 1 and is rejected under the same rationale.

Regarding claim 5, which is dependent on claim 2. Refer to the rationale relied to reject claims 1 and 2, in order to display hierarchy page structure and attribute page and correlation with each other on a browser when the user request the sitemap as explained in combination Weinberg and Belfiore, “a page attribute processor and a page structure processor, all of which are required to display said page structures and said attributes in correlation with each other” must be included to transmit to said browser for user’s manipulations. The rationale is incorporated herein.

Regarding independent claim 11, recites a web site browsing computer, which includes a communication device for communicating with another computer which is equivalent to the method as recited in claim 1 and are similarly rejected.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore in view of Weinberg as applied to claim 1 above, and further in view of Kanevsky et al., US 6,426,761 B1, filed 04/1999.

Regarding claim 3, which is dependent on claim 1. Refer to the rejection of claim 1, the limitation of “wherein said page attributes are keywords included in said web pages at said web site” is address as. However, Belfiore does not explicitly teach wherein said page attributes are keywords included in said web pages at said web site, a number of times said keywords appear, sizes of files, a number of files and date files are updated.

Kanevsky teaches a web page displaying having attributes, such as a number of time said keywords appear, size of files, a number of files and date files are updated (Kanevsky, col.1, lines 60-65, fig.3, item 510, 520, 530, 540, 550; col.9, lines 60-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Kanevsky's page attributes into Belfiore's page attributes to provide more attributes for the user, since this would have provided relatedness of information represented by items may be easily understood (Kanevsky, col.1, lines 39-43) and improved system for organizing displaying, managing text, image, graphics on a computer graphic interface (Kanevsky, col.2, lines 5-10).

Claims 4, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore in view of Weinberg as applied to claims 2 and 5, and further in view of Astiz et al., US 6,035,330, filed 03/1996.

Regarding claim 4, which is dependent on claim 2. Belfiore teaches sitemap files is available at the web site (Belfiore, col.1, lines 28-29) that hold hierarchical list of web pages and page attributes, such as search result and ratings information that are available at the server site (Belfiore, col.3, lines 7-11). These suggests that the server must include means for using contents held by said server to prepare said web page structure in order to provide such web page structure and said attributes for a user when the user request the sitemap at a web site.

Astiz teaches a server or a user includes means for using contents held by said server or by another web server to prepare said web page structures and said page attributes for said web pages at said web site (Astiz, col.7, lines 48-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Astiz and Belfiore to provide different place to employ the sitemap, since the sitemap is implemented from both server or/and user.

Regarding claim 6, which is dependent on claim 5. Refer to the rationale relied to reject claim 5, the combination of Belfiore and Weinberg teaches “command processor includes means for, in accordance with a browser change manipulation performed by a user” is included. The rationale is incorporated herein. Belfiore does not explicitly teach, displaying a command for changing a display of said page structures and said page attributes, as well as said page structures and said page attributes.

Astiz teaches displaying a list of command areas including a command for changing a display of said page structures and said page attributes, as well as said page structures and said page attributes (Astiz, fig.6, commands “configure”, “expand”, “collapse”, “detail”, etc.).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Astiz’s list of command areas in a site map into Belfiore’s site map for changing the displays of the page structure and page attributes, since such commands would have allowed the user to manipulate the displaying of the page structure and page attributes of the sitemap.

Regarding claim 8, which is dependent on claim 5. Refer to the rationale relied to claim 6, the limitations of “means for displaying together with said page structures and said page

attributes, a list of command areas for changing the displays of said page structure and said page attributes” is addressed. The rationale is incorporated herein.

(11) *Response to Argument*

“Weinberg is not in an analogous art to the present invention and claims”

On page 11 through page 13 of Appeal Brief, appellant argues that Weinberg discloses “the present invention relates to user interfaces and associated methods for testing the functionality of transaction servers”, which is not in an analogous art to the present invention, which “directed to displaying information about the website”.

Examiner respectfully disagrees. Weinberg teaches a user interface displays steps of testing to the user as a hierarchical node structures. Weinberg teaches dynamically displaying the relationship between a node in the hierarchical node structures and its object by highlighting the node in the hierarchical node structures when a user selects a corresponding object or highlighting the object when the user selects a corresponding node (Weinberg, col.3, lines 17-25). Weinberg further teaches that “[t]hese features assist the user in identifying the correspondence between particular step of the test and display elements”. Weinberg’s user interface provides features that solving applicant’s concerned, and therefore is an analogous art.

"Weinberg does not show what it is cited to show"

On page 13 through page 14 of Appeal Brief, appellant argues that, "Weinberg does not show highlighting a correlation between page attributes and page structures on a web site".

Examiner agrees. Weinberg does not teach highlighting a correlation between page attributes and page structures on a web site. However, Weinberg teaches highlighting a correlation between page attributes and page structures (Weinberg, fig.2, col.11, line 63 – col.12, line 3; col.13, lines 57-59 and col.24, lines 37-53; dynamically highlight page "Order type: OR" in hierarchy tree when selecting the attribute "order type field"; and dynamically highlight attribute "Thomas Bush Inc." when the "Thomas Bush Inc." page in the hierarchy tree were selected). Astiz, Belfiore teaches displaying page structure and page attributes on a web site. Therefore, the combination of Astiz and Weinberg teaches highlighting a correlation between page attributes and page structures on a web site.

On page 15 through page 16 of Appeal Brief, appellant argues that, "Kanevsky does show attributes, as suggested but it is further noted that the attributes of Kanevsky are the attributes of a cluster of icons, not attributes of a page on a web site".

Examiner respectfully disagrees. Appellant admits that, "Kanevsky does show attributes". Kanevsky teaches attributes of an text, web-page links in cluster, such as number of links appear in the cluster, number of hidden links in the cluster, size of information represented by the cluster, creation date of the link in the cluster and other attributes of the cluster (Kanevsky, col.1, lines 60-65; col.5, lines 6-9; col.7, lines 53-65; col.9, line 55 – col.10, line 13).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kanevsky's attributes of an web-page links in an object (cluster) into Belfiore's attributes in a page to provide more attributes for the user, since this would have provides relatedness of information represented by items may be easily understood (Kanevsky, col.1, lines 39-43) and improved system for organizing displaying, managing text, image, graphics on a computer graphic interface (Kanevsky, col.2, lines 5-10).

On page 16 through page 17 of Appeal Brief, appellant submits the same arguments that were submitted above, and therefore all response to such arguments above are incorporated herein.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

TVH
April 1, 2005



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